UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

16 CR 0206

UNITED STATES OF AMERICA	§	
	§	**CRIMINAL NO.**
v.	§	
	§	**(UNDER SEAL)**
ALLAN GEORGE COOPER,	§	
Defendant.	§	
	§	

United States Courts
Southern District of Texas
FILED

MAY 18 2016

David J. Bradley, Clerk of Court

Sealed
Public and unofficial staff access to this instrument are prohibited by court order.

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNTS ONE - FOUR
(Wire Fraud – 18 U.S.C. §§1343 and 2)

A. INTRODUCTION

At all times material to this indictment:

1. ALLAN GEORGE COOPER ("COOPER") was a resident in Montgomery, Texas.

2. AG Cooper & Associates, COOPER's office, was located at 14405 Walters Road, located in Houston, Texas. COOPER held himself out as being an investment advisor.

3. Effective Energy Alternatives ("EEA") was formed in Texas on March 7, 1989. COOPER was listed as the President of EEA.

4. AG Cooper LLC was formed in Texas on November 28, 2005. COOPER was listed as the Managing Member of AG Cooper LLC.

5. Effective Funding Network LLC ("EFN") was formed in Texas on October 27, 2005. COOPER was listed as a Registered Agent for EFN.

6. PN, JM, RK, KK, JD, PZ, CH, and SS were eight individuals out of over fifty who invested a total of over $5 million USD with COOPER.

B. THE SCHEME AND ARTIFICE TO DEFRAUD

7. Beginning in or about March 2006 to present, in the Houston Division of the Southern District of Texas and elsewhere, the defendant,

ALLAN GEORGE COOPER,

in the specific counts listed below intentionally and knowingly devised and intended to devise a scheme and artifice to defraud investors, by means of material false pretenses, representations, and promises, in that COOPER convinced investors to invest their money with COOPER in alleged investment programs, but instead of investing their funds, COOPER misappropriated and misused investor funds in order to obtain substantial economic benefits for his own personal use and benefit.

C. MANNER AND MEANS OF THE SCHEME AND ARTIFICE

8. COOPER would and did tell investors he would invest their funds through his companies. Typically, he would encourage them by offering a low-risk/high-return investments such as short-term loans, gaming investments,

interim construction loans, or mortgage backed notes.

9. COOPER would and did represent to investors that their funds would be utilized to invest with a guaranteed return of least 11%.

10. COOPER would and did mail letters to the investors enticing them to invest with his company.

11. COOPER would and did make investors believe he was investing their money in legitimate programs.

12. COOPER would and did direct investors to wire their retirement funds to intermediary, self-directed IRA custodians in order for COOPER to then take the funds into his business bank accounts to "invest."

13. COOPER would and did open commercial checking account ending in 3368 in the name of EEA d/b/a A.G. Cooper Associates at a Prosperity Bank located in the Southern District of Texas.

14. COOPER would and did open commercial checking account ending in 1521 in the name of AG Cooper LLC at a Prosperity Bank located in the Southern District of Texas.

15. COOPER would and did open commercial checking account number ending in 3651 in the name of EFN at a Wells Fargo Bank located in the Southern District of Texas.

16. COOPER would and did cause investors' funds to be wire transferred from their designated bank accounts to COOPER's commercial checking accounts at Prosperity and Wells Fargo Banks.

17. COOPER would and did cause investors to mail him checks which were deposited into COOPER's commercial checking accounts.

18. Instead of investing the investors' funds as promised, COOPER would and did appropriate the money for his own personal use, including paying his personal expenses, paying employees, paying his credit cards, paying other investors, and transferring funds to other companies controlled by COOPER.

19. For a period for time, COOPER would and did make payments to some of the investors, which he termed as a return on investment or interest earned. These payments, however, were not the proceeds of an investment but were simply the return of a portion of the investors' own money or other investors' money, made to keep up the appearance that the so-called investment was generating income.

20. COOPER would and did mail quarterly statements to investors containing false and misleading representations concerning the value and performance of AG Cooper & Associates investment programs and investor returns.

21. COOPER would and did convince over fifty individuals to invest over $5 million USD through his companies.

D. EXECUTION OF THE SCHEME AND ARTIFICE

On or about the dates set forth below, in the Southern District of Texas and elsewhere, the defendant listed below, with others known and unknown to the grand jury, aided and abetted with each other, for the purpose of executing the aforementioned scheme and artifice to defraud and to obtain money by material false and fraudulent representations, pretenses, and promises, did intentionally and knowingly cause to be transmitted by means of wire communication in interstate or foreign commerce, the transfer of funds described below:

Count	Date	Defendant	Wire Communication
1	5/24/11	**ALLAN GEORGE COOPER**	$15,000 wire transfer from PN to AG Cooper & Associates from Wells Fargo Bank to Prosperity Bank for investments
2	5/7/12	**ALLAN GEORGE COOPER**	$60,000 wire transfer from PN to AG Cooper & Associates from Wells Fargo Bank to Prosperity Bank for investments
3	9/25/12	**ALLAN GEORGE COOPER**	$350,000 wire transfer from Pensco Trust on behalf of JM to Effective Funding Network from Citibank to Wells Fargo Bank for investments

4	12/27/12	**ALLAN GEORGE COOPER**	$151,328.33 wire transfer from JM to AG Cooper & Associates from Compass Bank to Prosperity Bank for investments

All in violation of Title 18, United States Code, Section 1343 and 2.

COUNTS FIVE - TEN
(Mail Fraud – 18 U.S.C. §1341 and 2)

A. INTRODUCTION

1. The Grand Jury adopts, re-alleges, and incorporates herein Paragraphs 1-6 of Counts One through Four as if set out fully herein.

B. THE SCHEME AND ARTIFICE

2. The Grand Jury adopts, re-alleges, and incorporates herein Paragraph 7 of Counts One through Four as if set out fully herein.

C. MANER AND MEANS OF THE SCHEME AND ARTIFICE

3. The Grand Jury adopts, re-alleges, and incorporates herein Paragraphs 8-21 of Counts One through Four as set out fully herein.

D. EXECUTION OF THE SCHEME AND ARTIFICE

4. On or about the dates set forth below, in the Southern District of Texas and elsewhere, the defendant listed below, with others known and unknown to the grand jury, aided and abetted with each other, for the purpose of executing the aforementioned scheme and artifice to defraud and obtain money by material

false and fraudulent representations, pretenses, and promises, did intentionally and knowingly cause to be delivered by the United States Postal Service mail and private and commercial interstate carriers the following matters:

Count	**Date**	**Defendant**	**Mailing**
5	1/23/12	**ALLAN GEORGE COOPER**	4th Quarter Statement/Account Summaries for 2011 signed by COOPER regarding RK and KK's investments falsely stating the value and the performance of RK and KK's funds
6	5/8/13	**ALLAN GEORGE COOPER**	1st Quarter Statement/Account Summaries for 2013 signed by COOPER regarding JD's investments falsely stating the value and the performance of JD's funds
7	10/14/13	**ALLAN GEORGE COOPER**	3rd Quarter Statement/Account Summaries for 2013 signed by COOPER regarding PZ's investments falsely stating the value and the performance of PZ's funds
8	1/25/14	**ALLAN GEORGE COOPER**	4th Quarter Statement/Account Summaries for 2013 signed by COOPER regarding CH's investments falsely stating the value and the performance of CH's funds
9	7/1/15	**ALLAN GEORGE COOPER**	Wachovia Bank Check dated 7/1/15 for $50,000 signed by SS payable to AG Cooper & Associates for investments

10	7/11/15	**ALLAN GEORGE COOPER**	2nd Quarter Statement/Account Summaries for 2015 signed by COOPER regarding PZ's investments falsely stating the value and the performance of PZ's funds

All in violation of Title 18, United States Code, Section 1341 and 2.

NOTICE OF CRIMINAL FORFEITURE
28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C)

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C), the United States gives notice to the defendant,

ALLAN GEORGE COOPER,

that in the event of conviction of any of the offenses charged in Counts 1 through 10 of this Indictment, the United States intends to seek forfeiture of all property, real or personal, which constitutes or is derived from proceeds traceable to such offenses.

Money Judgment

Defendant is notified that upon conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture.

Substitute Assets

Defendant is notified that in the event that property subject to forfeiture, as a result of any act or omission of defendant,

(A) cannot be located upon the exercise of due diligence;

(B) has been transferred or sold to, or deposited with, a third party;

(C) has been placed beyond the jurisdiction of the court;

(D) has been substantially diminished in value; or

(E) has been commingled with other property that cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the total value of such property pursuant to Title 21, United States Code, Section 853(p), incorporated by reference in Title 28, United States Code, Section 2461(c).

A TRUE BILL

Original Signature on File

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY

By: ______________________________
SUZANNE ELMILADY
Assistant United States Attorney
(713) 567-9000